



Ninety-Eighth Legislature - First Session - 2003
Introducer's Statement of Intent
LB 261

Chairperson: DiAnna R. Schimek
Committee: Government, Military and Veterans Affairs
Date of Hearing: February 6, 2003

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 261 makes changes in parts of the current Campaign Finance Limitation Act, or CFLA (Sections 32-1601 – 32-1614 of the Nebraska Revised Statutes). The bill also changes some conditions and time limitations in which political committees are required to file statements of organization according to the current statute, Section 49-1449.

Under LB 261, a candidate who chooses not to abide by the spending limits as determined by Section 32-1604 (3) of the CFLA is no longer required to estimate his or her maximum expenditures for the primary election or general election periods. Neither is the non-abiding candidate required to report to the Accountability and Disclosure Commission when he or she has spent 40 percent of the estimated maximum expenditures during the primary and general election periods.

The bill changes 32-1606 to require a “qualifying candidate” (a candidate abiding by the spending limits) to file a request for public funds in a primary election at least 30 days before the primary election date and at least 60 days before the date of the general election.

LB 261 stipulates that if any of a qualifying candidate’s opponents is shown (in the candidate’s first preelection campaign statement filed 30 days before the election date) to overspend the given spending limit, the qualifying candidate is entitled to receive (in public funds) the difference between the highest spending opponent’s disclosed expenditures and the spending limit for that particular race. Likewise, if any of the qualifying candidate’s opponents is shown to have overspent the limit in the candidate’s *second* preelection campaign statement (filed ten days before the election date), the qualifying candidate is again entitled to receive the difference between the highest spending opponent’s disclosed expenditures and the spending limit -- minus any funds that may have been awarded after the findings of the first campaign statement. These stipulations apply similarly to both primary and general election campaign statements.

The bill also provides that if a qualifying candidate’s opponent fails to file any of the required campaign statements, the amount computed under the new rules in favor of the qualifying candidate would be increased by 25 percent.

Section 49-1449 currently requires political committees to file statements of organization with the Commission within ten days after such a committee is formed. LB 271 would require that a committee formed within 30 days prior to an election date must file within two business days after its formation.

Principal Introducer:

Senator Mike Foley